



09-05-07

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Atty. Dkt. No. 026032-4980

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Watkins et al.

Title: SEAT WITH EASY-ENTRY AND CARGO FUNCTION

Appl. No.: 10/564,870

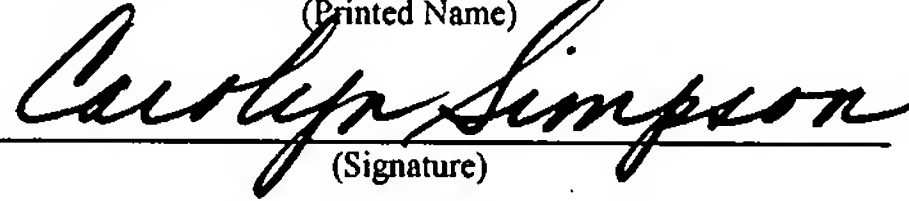
International Filing Date: 07/01/2004

371(c) Date: 1/17/2006

Examiner: tba

Art Unit: 3636

Conf. No.: 5088

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Carolyn Simpson	
(Printed Name)	
	
(Signature)	

TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents for the above-identified patent:

- ☒ [X] Petition Pursuant to 37 C.F.R. §1.47(a) (2 pages)
- ☒ [X] Statement of Facts for Petition Pursuant to 37 C.F.R. §1.47(a) and Related Documents (6 pages)

Respectfully submitted,

Date 09-04-07By 

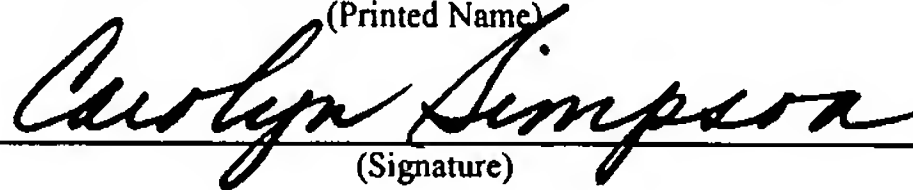
FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5776
Facsimile: (414) 297-4900

James A. Wilke
Attorney for Applicant
Registration No. 34,279



Atty. Dkt. No. 026032-4980

Applicant: Watkins et al.
Title: SEAT WITH EASY-ENTRY
AND CARGO FUNCTION
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(Printed Name)	
	
(Signature)	

PETITION PURSUANT TO 37 C.F.R. §1.47(a)

Mail Stop Petition

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

09/06/2007 WASFAW1 00000035 11564870

01 FC:1463

200.00 OP

Applicants hereby petition the Commissioner under 37 C.F.R. §1.47(a) to treat the above-identified patent application as being made by inventors Hans Schmodde and Robert Schüle on behalf of non-signing inventor Dave Watkins.

Despite diligent efforts, non-signing inventor Dave Watkins cannot be located to obtain his signature on the Declaration.

A Statement of Facts signed by Martina Tiedemann, an employee of Johnson Controls, GmbH, in support of this petition is provided herewith, and includes the last known home addresses for the non-signing inventor, Dave Watkins (paragraph 7). Further, pursuant to paragraph 9 of the Statement of Facts, letters to Mr. Watkins were sent to two different additional addresses in Great Britain, copies of which are attached to the Statement of Facts. Ms. Tiedemann represents that signed papers were not received from Mr. Watkins.

Diligent efforts were also made to conduct electronic searching for non-locatable inventor Watkins. None of these efforts identified the non-signing inventor. In fact, a print out of one search is attached identifying a voluminous amount of potential matches for a Dave

09/07/2007 WASFAW1 00000030 10564870

01 FC:1463

200.00 OP

MILW_2605382.1

Watkins in Great Britain. As such, it would be an undue burden on the signing inventors and the Assignee of the subject application to review and analyze these potential references.

It is requested that the Application filed in the U.S. Patent Office on January 17, 2006 proceed to examination in light of the present Petition and accompanying Statement of Facts filed herewith.

A credit card payment form in the amount of \$200.00 is provided herewith in payment of the petition fee pursuant to 37 C.F.R. §1.17(g). The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 09-04-07

FOLEY & LARDNER LLP
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5306
Telephone: (414) 297-5776
Facsimile: (414) 297-4900

By



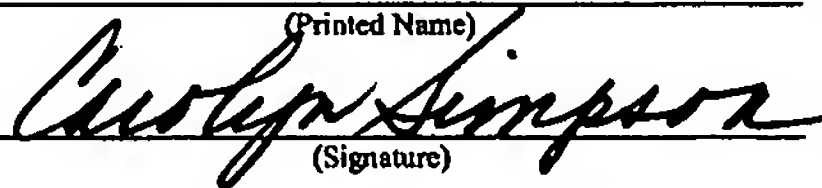
James A. Wilke
Attorney for Applicant
Registration No. 34,279



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Carolyn Simpson	
(Printed Name)	
	
(Signature)	

STATEMENT OF FACTS FOR PETITION PURSUANT TO 37 C.F.R. §1.47(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

After being duly sworn, I, Martina Tiedemann, hereby depose and state:

1. I am an adult resident of Germany.
2. I am an employee of Johnson Controls GmbH, Automotive Group, European Headquarters in Burscheid Germany. I work in the Patent Department of Johnson Controls GmbH.
3. Several of the responsibilities of my employment include forwarding documents to inventors, obtaining the signatures of inventors of various documents relating to intellectual property of JCI and providing information to JCI outside counsel.
4. In the month of August, 2005, I began the process of obtaining signatures of the inventors listed in the application which is captioned above. The signatures of two of the three named inventors were obtained, they being Hans Schmoode and Robert Schule.

5. In August, 2005, I prepared an information packet for mailing to inventor Dave Watkins, with the packet including a copy of the patent application, copy of the declaration to be signed, an inventor information sheet and a letter from myself explaining what was requested of each inventor.
6. The information packet was addressed to Mr. Watkins' last known address as of August 2005.
7. JCI records at that time indicated that the last known address of Dave Watkins was 1 Beech AV, Calegree, GB - Stockport.
8. The packet of information sent to inventor Watkins was returned unopened.
9. I requested that the Johnson Controls Human Resources Department attempt to obtain updated contact information for inventor Watkins, and, recently, through those efforts a new address was available.
10. Johnson Controls' outside law firm, Kutzenberger and Wolff, in Koln, Germany was requested to conduct an electronic internet search for Mr. Watkins.
11. In attempting to obtain information on inventor Watkins, a search was conducted using an online search site (Google). The results of that online search revealed over 856,000 potential web page hits for Dave Watkins in Great Britain. A copy of the electronic search results is attached hereto. It would be a great and undue burden to attempt to review these results to attempt to obtain an address for Mr. Watkins.
12. This Statement is provided in support of a Response to Notice of Missing Parts and for Reconsideration of Petition under 37 C.F.R. 1.47(a) filed with the U.S. Patent and Trademark Office for the subject matter.
13. I hereby declare that all of the statements made herein are of my own knowledge and are true and that all statements made on information are believed to be true.

Date Sept. 4, 2007



Martina Tiedemann

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Dave Watkins Great Britain

Suche

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Ergebnisse 1 - 10 von ungefähr **856.000** für **Great Britain Dave Watkins**. (0,12 Sekunden)

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For other persons named **David Watkins**, see **David Watkins (disambiguation)**. ... British Lions rugby union side and the **Great Britain** Lions rugby league team. ...

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Secondly, each player should, ideally, have represented **Great Britain** or any of the can have given as much value for a signing on fee as **David Watkins**. ...

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Johnson Controls GmbH • Postfach 1205 • 51388 Burscheid

Mr.
Dave Watkins
C/o 19, Bracken Road
DL3 9LY Darlington

Great Britain

JOHNSON
CONTROLS

Ihr Zeichen

03004/40

Ihre Nachricht vom

Telefon

02174/65-49 67

Datum

August 30, 2005

International Patent Application No.: PCT/EP 04/007159
Application Date: July 1, 2004
Applicant: Johnson Controls GmbH

Dear Mr. Watkins,

With reference to the above-mentioned patent application, we would like to ask you to sign and return the enclosed formal documents for the application in the US.

If you have any queries, please do not hesitate to contact us.

Yours truly,
Johnson Controls GmbH
European Headquarters

Klaus Hemmelmann
European Patent Attorney
Intellectual Property Manager

Martina Tiedemann
Patent Department

Johnson Controls GmbH
Europa-Zentrale
Industriestraße 20-30
51399 Burscheid, Germany

Telefon: +49 2174 65-0
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Internet:
www.johnsoncontrols.com

Geschäftsführer:
Giovanni B. Fiori
Stephen Alan Roell
Leonardo Attanasio
Dr. Reiner Spatke

Amtsgericht Köln
HRB 49198
Ust. Id.-Nr.:
DE811826278

Commerzbank AG Wermelskirchen
BLZ 340 400 49
KTO 1 900 778
1 900 877



Johnson Controls GmbH • Postfach 1205 • 51388 Burscheid

CARAN Design Limited
Attn.: Mr. Dave Watkins
PO Box 412
Chorleywood
Rickmansworth WD3 5ZU

JOHNSON
CONTROLS

Great Britain

Ihr Zeichen

Ihre Nachricht vom

Telefon

02174/65-49 67

Datum

August 30, 2005

URGENT REQUEST –

International Patent Application No.: PCT/EP 04/007159

Application Date: July 1, 2004

Applicant: Johnson Controls GmbH

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If you have any queries, please do not hesitate to contact us.

Yours truly,
Johnson Controls GmbH
European Headquarters

Klaus Hemmelmann
European Patent Attorney
Intellectual Property Manager

Martina Tiedemann
Patent Department

Enclosure

Declaration and Power of Attorney
Assignment

Johnson Controls GmbH
Europa-Zentrale
Industriestraße 20-30
51399 Burscheid, Germany

Telefon: +49 2174 65-0
Telefax: +49 2174 65-3100
Internet:
www.johnsoncontrols.com

Geschäftsführer:
Giovanni B. Flori
Stephen Alan Roell
Leonardo Attanasio
Dr. Reiner Spatke

Amtsgericht Köln
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